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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

NATHANIEL WOODS, JR.,
Plaintiff,

v.

BAYER HEALTHCARE, Biological Products
Division, a for profit business entity,
Defendant.

CASE NO. C-05-02871 JSW

**STIPULATION AND ~~[PROPOSED]~~ ORDER
REGARDING DISCOVERY AND
DISPOSITIVE MOTION SCHEDULE**

TRIAL DATE: None Assigned

Hon. Jeffrey S. White

WHEREAS, close of non-expert discovery was previously set for March 13, 2006;
WHEREAS, the Hearing on Dispositive Motions was previously set for April 21, 2006;
WHEREAS, plaintiff has noticed seven depositions to be taken before non-expert discovery
closes;
WHEREAS, Bayer anticipates it will produce all non-objectionable witnesses for deposition
that have already been properly and timely noticed;

WHEREAS, the parties are continuing to meet and confer regarding written discovery requests already properly and timely served and anticipate resolution of all outstanding issues;

WHEREAS, the matters *Jones v. Bayer*, case No. C-03-05531 JSW, and *Dove v. Bayer*, case No. C-05-02873 JSW, are deemed related to this matter;

WHEREAS, all dates in *Dove v. Bayer* are being adhered to, including the close of non-expert discovery on February 27, 2006 and the Hearing for Dispositive Motions set for April 7, 2006;

WHEREAS, in *Jones v. Bayer* six additional depositions are currently being scheduled and the parties are continuing to meet and confer regarding written discovery requests and anticipate resolution of all outstanding issues;

WHEREAS, plaintiff, on the one hand, and Bayer, on the other hand, are collectively adverse, they agree through their respective counsel and stipulate as follows:

1. No new non-expert discovery may be served or propounded after March 13, 2006;
2. For the limited scope of discovery requests that were timely and properly served pursuant to the previous cutoff date of March 13, 2006, non-expert discovery will now close on March 31, 2006;
3. Plaintiff reserves his right to propound additional deposition notices until March 13, 2006;
4. Defendant, Bayer, reserves all rights to object to any such deposition notices, including, but not limited to, the timeliness thereof;
5. Plaintiff reserves his right to challenge Bayer's objections;
6. This stipulation and [proposed] order does not waive any proper objection to discovery served prior to March 13, 2006;
7. Hearing on Dispositive Motions ^{and Case Management Conference} will now occur on May 19, 2006.

IT IS SO STIPULATED.

DATED: February 27, 2006

MOORE & MOORE

By: s/Howard Moore, Jr.
HOWARD MOORE, JR.
Attorneys for Plaintiff

DATED: February 27, 2006

By: s/Charles Stephen Ralston
CHARLES STEPHEN RALSTON
Attorney for Plaintiff
NATHANIEL WOODS

DATED: February 27, 2006

THE LOUDERBACK LAW FIRM

By: s/Jerome Schreiberstein
JEROME SCHREIBSTEIN
JAMES T. CONLEY
Attorneys for Defendant
BAYER HEALTHCARE

Dated: February 28, 2006



1 **IT IS SO ORDERED.**

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3 DATED: _____, 2006
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8 HON. JEFFREY S. WHITE
9 United States District Court Judge
10 Northern District of California
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